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LEGAL REPRESENTATIVE OF
FRONTERA RENOVABLE, S. DE R.L. DE C.V.
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To: Luis Vera Morales, Octavio Carvajal Trillo, Alejandro Aldana Galban, Cristina Hernández Calzada, Luis Gabriel Martínez, Estuardo Anaya Soto, Daniel Gómez Ramírez and/or Gabriel Rodrigo Bustamante Brambila, as well as Armando Briones, Miriam Sámano Rosillo, Ana Eugenia Alanís Quiroz, Silvia Sámano Beristaín, Verónica Aidée Palacios de la Torre and/or Jesús Xavier Félix.

Re: Clarifications, Rectifications or Extensions to the content of the Environment Impact Statement of the Project called "**Tres Mesas Wind Farm**".

Petitioner: Legal Representative of Frontera Renovable, S. de R.L. de C.V.

Ciudad Victoria, Tamaulipas. Ruling of the Federal Regional Office of the Department of Environment and Natural Resources for the State of Tamaulipas, of August fourteen two thousand thirteen.

HAVING ANALYZED THE RELEVANT BACKGROUND; CONSEQUENTLY:

FIRST. Submittal of Request for Authorization in the area of Environmental Impact through Environmental Impact Statement. From document received on June 18, 2013 in this Federal Regional Office of the Department of Environment and Natural Resources for the State of Tamaulipas, hereinafter the Regional Office, Luis Fernando Villareal Ibarra, in his capacity and authority as Legal Representative of **Frontera Renovable, S. de R.L. de C.V.**, hereinafter the **Petitioner**, through submittal of environmental impact statement, special modality, requests authorization in the area of environmental impact for the project called "**Tres Mesas Wind Farm**", hereinafter **Request** and **Project**, correspondingly.

SECOND. Paperwork. After receiving the Request, this Regional Office assigned it Log number 28/MP-0511/06/13 and Project Key Number 28TM2013ED025.

THIRD. Publication in Ecologic Gazette. As per section 34, third paragraph, fraction I of the General Law of Ecological Balance and Environmental Protection (**LGEEPA**), the Ecologic Gazette of

the Department of Environment and Natural Resources regarding Separata No. DGIRA/028/13, SEMARNAT/DGIRA of June 20, 2013, published in Internet in the following address, the List of Entry of Projects and Issue of Resolutions Derived from the Environmental Impact and Risk Assessment Procedure, specifically Project submitted at the Federal Regional Offices of the SEMARNAT from June 13 through 19, 2013, including information on the Project: State, Municipality, Code, Petitioner, Project, Modality and Date of entry:

http://thesector9.com/gaceta/archivos2013/gaceta_28-13.pdf

FOURTH. Publication of Project Extract in a Newspaper of wide circulation in the State of Tamaulipas. From document received on the 26th day of June, 2013 at this Regional Office, and assigned Document number 28DLB-01343/1306, the Petitioner submitted the extract of the Project published in the Newspaper El Diario in Ciudad Victoria on June 21, 2013, in compliance with section 34, third paragraph, fraction I of the General Law of Ecological Balance and Environmental Protection (**LGEEPA**).

In fact, among others, it is hereby stated that the extract of the project published in a newspaper of wide circulation in the state of Tamaulipas is very important, since with said publication any person is entitled to apply for public consultation, besides knowing that a request for authorization in environmental impact matter has been submitted for a project in order to have the possibility of make suggestions with regards thereto and establish additional preventive and mitigation measures, as well as the observations deemed convenient; that is, it is basically to have an actual possibility of free participation in public matters through the exercise of democratic control of public administration.

This is, the free and full exercise of the rights to information on the environment, freedom of speech and thought, free meeting, association and participation in the direction of public affairs as per fair demands of public good in a Democratic Society must be respected and guaranteed, within the procedure of environmental impact assessment of a project, which starts with the publication of the aforementioned extract following the provisioned in the General Law of Ecological Balance and Environmental Protection (**LGEEPA**).

In other words, representative democracy is reinforced and strengthened with permanent, ethical and responsible participation of citizens within a legal framework as per the constitutional regulation (section 2 of the Inter-American Democratic Charter); as well as in the provisioned mainly in sections 1(a), 1(d), 1(g), 1(h), 1(i), 1(j), 4(1), 4(2)(a), 5(1)(b), 5(1)(e), 5(1)(g), 5(1)(i), 5(1)(l), 6(1), 6(2), 6(3), of the NORTH AMERICAN AGREEMENT ON ENVIRONMENTAL COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED MEXICAN STATES, THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA [North American Agreement On Environmental Cooperation], regarding appropriate access to the environmental impact assessment procedure for persons requesting the competent authorities to take the corresponding measures to enforce the environmental law and regulations so as to protect or avoid damages to the environment.

FIFTH. Integration of File and Availability to the Public. As per section 34, first paragraph and section 35, first paragraph of the General Law of Ecological Balance and Environmental Protection (**LGEEPA**), as well as section 21 of the Regulations of the General Law of Ecological Balance and Environmental Protection in terms of Environmental Impact Assessment (**REIA**), the file of the Project was integrated, which in order to respect and guarantee free and full exercise of the rights to information on the environment, freedom of speech and thought, free meeting, association and participation in the direction of public affairs as per fair demands of public good in a Democratic Society, within the procedure of environmental impact assessment of a project, was made available to the public in the Citizen Contact Space (ECC) of this Regional Office, located at 2° Piso del Palacio Federal, Colonia Centro, in the Capital city of the State of Tamaulipas.

SIXTH. As per section 53, 54 and 55, first paragraph, of the Federal Law of Administrative Procedure, with respect to section 4, fraction III and 24 of the Regulations of the General Law of Ecological Balance and Environmental Protection in terms of Environmental Impact Assessment (**REIA**), I hereby request an opinion both from the NATIONAL COMMISSION FOR KNOWLEDGE AND USE OF BIODIVERSITY, as well as from the GENERAL OFFICE OF WILDLIFE OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, **CONABIO**, and GENERAL OFFICE OF WILDLIFE, respectively, with regards to the Project.

SEVENTH. Request by Petitioner regarding Public Consultation on the Project. From document received on the 18th day of July, 2013 in this **Regional Office**, which was assigned Document Number 28DFX-01517/1307, the **Petitioner** requested response to confirm if any member of the community asked for public consultation within the procedure of environmental impact assessment of the **Project**, and

TAKING INTO CONSIDERATION THE FOLLOWING LEGAL ARGUMENTS:

FIRST. Grounds. This **Regional Office** grounded mainly, in addition to the standards set forth in this agreement, in sections 1, first, second, third and fifth paragraphs, 4, fourth, fifth and eighth paragraphs, 6, first and second paragraphs, 8, 9, 15, 16, first paragraph, 25, first, second, third, sixth and eighth paragraphs, 27, first, third, fourth, fifth and sixth paragraphs, as well as 90, first paragraph, of the Political Constitution of the United Mexican States, 1, 2, 13.1 and 13.3, 15, 16.1, 16.2, 19, 21, 23.1 a), 24, 26, 27, 28, 29, 30 and 32 of the American Convention on Human Rights; 1, 2, 3, 4, 5, 10.1 and 11, of the Additional Protocol to the American Convention on Human Rights in the area of Economic, Social and Cultural Rights “San Salvador Protocol”; 1, 2.1, 2.2, 3, 4, 5, 18.1, first part, 19, 21, 22, 24.1, 25 a) and 26, of the International Covenant on Civil and Political Rights; 1, 2.1, 2.2, 3, 4, 5, 11.1, 12.1, 12.2, letters a) and b), of the International Covenant on Economic, Social and Cultural Rights; 1, first and second paragraph, 2, fraction I, 13, first paragraph, 14, first paragraph, 16, 17 BIS, 18, 26 as well as 32 BIS, fractions I, II, III, V, X, XI, XIV, XVI, XVII, XXXIX, and XLI, of the Organic Law of the Federal Public Administration; 3, fractions , XIV, XX, XXI and XXXVIII, 5 fractions I, II, IV, X, XI, XV, XVI and XXI, 15, fractions, I, II, III, IV, V, VI, VII, IX, X, XI, XII, XIV, XV XVI, XVII, XVIII and XX, 28, fraction II and VII, as well as penultimate paragraph of this section, 30, first, third and fourth paragraph, 34, 35, first, second, third and sixth paragraph, 35 BIS, first and second paragraph, of the General Law of Ecological Balance and Environmental Protection (**LGEEPA**); 2,

fractions I, II, III, IV, V, VI, VII, VIII, IX, X, XII, XII, XIV, XVI and XVII, 4, fractions I, VI and VII, 5, letters K) and O), 9, 10, 11, 12, 13, 21, 22, 26, 27 and 49, first paragraph, of the Regulations of the General Law of Ecological Balance and Environmental Protection (**REIA**); 1, 2, 3, 13, 16, fractions VII, VIII, IX and X, 35, and other related sections of the Federal Law of Administrative Procedure; 1, first paragraph, 2, fraction XXX, 19, fractions XXIII, XXV and XXIX, 38, 39, and 40, fractions II, X and XXXIX, of the Internal Regulations of the Department of Environment and Natural Resources, as well as the ratifications of the same prior to their five-year review, published in the Federal Official Gazette on April 23, 2003.

SECOND. Clarifications, rectifications or extensions. In order to have further elements allowing the assessment of the **Project**, this **Regional Office**:

RULES:

SOLE. To request additional information. After reviewing the **Request**, the Petitioner must make the corresponding clarifications, rectifications or extensions regarding the following, considering that the wind farm will be located in a polygon of 29,289.667 hectares (p. I.1.), this is, the environmental impact may be considerable given the space and number of wind turbines and meteorological towers.

1. Connection with the Applicable Legal Provisions

The Regulations of the General Law of Ecological Balance and Environmental Protection (**REIA**), in its section 12, fraction III, as well as 13, fraction III, set forth that the environmental impact statement, whether in special or regional modality, as the case may be, should contain information regarding, among others, the connection with the applicable legal provisions, this is, information regarding "... 12... III. Connection with the Applicable Legal Provisions in environmental matters and, if any, with the provisions on land use..." (special modality) or "... 13... III. Connection with planning instruments and applicable legal provisions..." (regional modality).

Section 12.- The Environmental Impact Statement, special modality, should contain the following information:

I. General Data of the Project, the petitioner and the responsible for the environmental impact study;

II. Project Description;

III. Connection with applicable legal provisions in environmental matter and, if any, with regulations on land use;

IV. Description of the environmental system indicating the environmental issues detected in the area of influence of the project;

V. Identification, description and assessment of environmental impacts;

VI. Preventive and mitigation measures for environmental impacts;

VII. Environmental forecast and, if any, assessment of alternatives, and

VIII. Identification of methodological instruments and technical elements supporting the information indicated in the previous factors.

Section 13.- The Environmental Impact Statement, regional modality, should contain the following information:

I. General Data of the Project, the petitioner and the responsible for the environmental impact study;

II. Description of the works or activities and, if any, partial development programs or plans;

III. Connection with planning instruments and applicable legal provisions;

IV. Description of the regional environmental system indicating the development and damage trends of the region;

V. Identification, description and assessment of environmental impacts, cumulative and residual, of the regional environmental system;

VI. Strategies for prevention and mitigation of environmental impacts, cumulative and residual, of the regional environmental system;

VII. Environmental forecast and, if any, assessment of alternatives, and

VIII. Identification of methodological instruments and technical elements supporting the results of the environmental impact statement.

From the latter, it can be deduced that the Petitioner not only has to mention or transcribe the relevant part, but he should demonstrate how the Project conforms to the applicable legal provisions as well as how it complies with said provisions (*Political Constitution of the United Mexican States, International Treaties to which Mexico is a party, general laws, federal laws, rules, Mexican official standards, urban development programs, regulation programs, state laws, municipal provisions, etc.*), whether an environmental impact statement, special or regional modality, as the case may be, with what the Petitioner has said and supported; thus, the resolution will be issued legally grounded, as per the applicable legal provisions.

In this regard, the **Petitioner** should specify the corresponding connection with respect to the **Project**, demonstrating how the **Project** conforms to and complies with the applicable legal provisions:

1.1 Extended. In general, the **Petitioner** should show how the **Project** conforms to and complies with the standards and applicable legal provisions stated in the Environmental Impact

Statement submitted to this **Regional Office**, as the case may be, as well as those [standards] deemed applicable.

This is, among others, because the **Petitioner** itself states:

"... The Government of the State of Tamaulipas has not exercised the power conferred to it by section 18 of the Urban Development Law of the State of Tamaulipas, so there is no such Program...".

When, in fact, the Official Gazette of the State of Tamaulipas published the Government Agreement Approving the Strategic Program for Sustainable Urban Development of Tamaulipas, which in its FIRST SECTION sets forth *"... The Strategic Program for Sustainable Urban Development of Tamaulipas is hereby approved..."*, and in its FOURTH SECTION sets forth that *"...The Strategic Program for Sustainable Urban Development of Tamaulipas is mandatory for public, social and private sectors as per the applicable legal provisions..."*.

Likewise, the Petitioner states, among others:

"...The Project is not located on land with such characteristics..." (pp. III-18, III-23).

"...Thus, FR presents this EIS-S which purpose is to use and develop the natural resources always making sure to maintain the continuity of biological processes in the region, through measures included in its PMA..." (p. III-25).

"...At this time, the use or development of national waters is not deemed necessary; nevertheless, should lighting of water be required, the relevant concession title will be processed and obtained... Additionally, should lighting of water be required, the relevant concession title will be processed and obtained... FR will not use goods which jurisdiction corresponds to the CAN, therefore it shall not need the concession mentioned herein... If the PETM needed to request a concession, it will comply with all requirements established in the provision in terms of national waters and in particular with regards to the legal provision quoted..." (pp. II-51, III-32, III-33, III-37).

"... The Statement submitted does not conform to the legal provisions; therefore, we have decided to select the special modality..." (p. III-34)

"...The study subject to assessment complies with each and every section of this legal provision..." (p. III-35).

Moreover, there is the General Law on Climate Change, as well as the Renewable Energy Development and Financing for Energy Transition Law.

In fact, in addition, the **Petitioner** should clarify, rectify or extend the statements regarding the payment of government charges, with respect to the provisioned in section 194-H of the Federal Government Charges Law regarding:

- If, with respect to the Project, the analysis and comparison of different options of management, treatment and disposal of special management and/or hazardous waste were required.
- If the **Project** includes one of the activities listed in section 5 of the Regulations of the General Law of Ecological Balance and Environmental Protection (**REIA**), or a group of the aforementioned activities.

1.2 Section 27, sixth paragraph, of the Political Constitution of the United Mexican States.

Section 27, sixth paragraph, of the Federal Constitution sets forth, among other constitutional standards, that *"... It is the exclusive duty of the Nation to generate, conduct, transform, distribute and supply electric energy as a public utility. In this matter no concession will be granted to private parties and the Nation shall use the goods and natural resources required for such purposes..."*.

To this respect, it must be considered that the **Petitioner** states, in the environmental impact statement presented to this **Regional Office**, basically that [**emphasis added**]:

"...

TRES MESAS WIND FARM"

It is estimated that with the construction of this project approximately 500 and 700 MW total would be generated, which would provide clean and renewable energy to the internal market of the region in order to satisfy the needs of individuals or corporations..." (p. I-1).

"...The Project aims to provide clean and renewable energy to the internal market of the region in order to satisfy the needs of individuals and/or corporations. Energy generated during the first stage will be destined to the national industrial market; it hasn't been agreed yet with any entity or company, so the purpose of said energy hasn't been completely defined..." (p. II-1).

"...The objective of the Project aims to provide clean and renewable energy to the internal market of the region in order to satisfy the needs of individuals or corporations. The SALE of energy generated by the wind farm hasn't been agreed yet with any entity or company, so the purpose of said energy hasn't been completely defined..." (p. II-6).

Thus, FR presents this EIS-S seeking to use the NATURAL RESOURCES so as to ensure the continuity of biological processes in the region, through measures included in its PMA..." (p. III-25)

"...Through the development of this project we aim to generate clean and renewable energy for the internal market of the region in order to satisfy the needs of individuals and/or corporations..." (p.VII.35)

To this regard, the Petitioner stated, besides what the Petitioner and its service supplier (*whether as technical auditor, specialist or expert or specialist in the area of environmental impact, wild life, fishing or other environmental subject*) state under oath (*"...that information contained in the Environmental Impact Statement, Special modality, for the "Tres Mesas Wind Farm" Project and its appendixes, is true... therefore, assuming the responsibility of the content thereof. The latter without prejudice of the duties of the Department of Environment and Natural Resources, to verify*

*the compliance with provisions contained in the aforementioned Law... Based on the aforementioned, we hereby accept that in case of false statements in the information provided, the Department shall proceed to apply the corresponding sanctions), since the Petitioner (and its service supplier) acknowledges expressly and in writing, libel under possession of the Regional Office, that they will sell the electric energy to individuals or corporations **therefore using the natural resources**, which constitute(s) express statement(s) with full probatory value, as per section 95 and 199 of the Federal Code of Civil Procedures, of supplementary application to administrative procedures¹ and, even with respect to the area of writ of amparo.²*

We must consider that both cogeneration and the self-supply and sell of the surplus to the Federal Electricity Commission, conforms to the provisioned in the Constitution, but it should be noted that even if the Law for Public Service of Electric Energy does not set forth in numbers any percentage of said electric energy production surplus, we understand that they may only sell to the Federal Electricity Commission the surplus from what people self-supplying or cogenerating may occupy; that is, **the surplus which do not alter the nature of what these types of generation imply**, that is, **reasonable reduced amounts which do not mean that as self-supply or cogeneration generate energy significantly for the public service**, since with this it might be violating section 27 of the Constitution and other precepts thereof which determine, essentially, that generation, conduction, transformation, distribution and supply of electric energy, which purpose is the provision of the public service, is a duty exclusive to the Nation and may not be granted on concession to individuals; besides, **the Nation shall use the goods and NATURAL RESOURCES required for such purposes**.

When speaking about self-suppliers and cogenerators, we may not accept that they are legal concepts created to violate the constitutional text, understanding that through the permits granted or the system applied as for the surplus sale regime, an exception to the constitutional principles is established, on the exclusivity of the Nation regarding generation, conduction, transformation, distribution and supply, as well the interdiction of granting concessions to individuals on that matter, and the **use of goods and NATURAL RESOURCES by the nation required for such purposes**. To this regard, it is clear that it can't be established through a scheme or a self-supply or cogeneration permit or through a surplus acquisition agreement, a system that would practically convert all self-suppliers and cogenerators into concessionaires of electric energy to the public service or any of the operations integrating the matter, for this would be excluded from the clear constitutional text governing it. Likewise, it would be distorting the meaning of the legal concept of self-supply and cogeneration.

We noted that when establishing the concepts of self-supply and cogeneration in section 36, fractions I and II of the Law for the Public Service of Electric Energy,³ we aim to boost self-

¹ Without limitation: section 2 of the Federal Law of Administrative Procedure.

² Section 2, last paragraph of the Writ of Amparo Law, Regulatory of sections 103 and 107 of the Political Constitution of the United Mexican States [without limitation].

³ SECTION 36.- The Department of Environment and Natural Resources, considering the criteria and guidelines of the national energy policy and the opinion of the Federal Electricity Commission, will grant permits for self-supply, cogeneration, independent production, small production or import or export of electric energy, as the case may be, under the conditions stated for each case:

consumption, saving energy coming from the public sector and production of cleaner energy, but not to turn them into power generation business, itself, from which we may conclude that the margin of surplus must be managed within the reasonable terms; that is, as a minimum amount regarding the amount generated which corresponds to self-suppliers and cogenerators by nature.

The self-consumption requirement is an essential elements of the concepts of self-supply and cogeneration, so in the aim of seeking for real positive benefits by the private sector there might be projects which purpose is not self-consumption but SALE of electricity, as stated by the Petitioner, which may imply a possible violation of the constitutional principles established in the last part of section 27, sixth paragraph, of the Political Constitution of the United Mexican States, that regulates self-consumption and cogeneration for the public service.

It should be no hindrance to state that every public official, without exception, before taking up position, states under oath to guarantee compliance with the Political Constitution of the United Mexican States, as per section 128 thereof.

"Sect. 128.- Every public official, without exception, before taking up position, shall state under oath to guarantee compliance with the Political Constitution and the laws thereof."

Planning electricity generation with unreasonable surplus may have as a consequence that the purpose of obtaining the corresponding permits and, especially in the area of environmental impact in which the resolution therein must refer to the environmental aspects of the works and activities in question (see next paragraph), may contravene the final part of section 27, sixth paragraph, of the General Constitution of the Republic; for one or more individuals or corporations, other than the State, would use the natural resources required for purposes of generation, conduction, transformation, distribution and supply of electric energy which objective is the provision of public service which, we insist, is exclusive to the Nation, turning into generators of electric energy for SALE not only the Federal Electricity Commission but also private individuals, and in fact privatizing the provision of the power supply public service.

I. For self-supply of electric energy destined to satisfy the needs of individuals or corporations, provided that it is not an inconvenience for the country, at discretion of the Department of Energy. In order to grant the permit it should comply with the following:

a) In the event of several applicants for purposes of self-supply from a power station, they shall be co-owners thereof or constitute for that purpose a partnership which objective is the generation of electric energy to satisfy all self-supply needs of its partners. The concessionaire may not deliver electric energy to third party individuals or corporations which are not a partner thereof upon approval of the original project including extension plans, except if the assignment of rights or modification of said plans is authorized; and

b) The applicant should make available to the Federal Electricity Commission its surplus of production of electric energy, in terms of section 36-Bis.

II.- On Cogeneration, to generation electric energy produces jointly with steam or other type of secondary thermal energy, or both; when thermal energy not used in the processes is used for direct or indirect production of electric energy, or when fuels produced in its processed for direct or indirect generation of electric energy and provided that in any of the cases:

a) Electricity generated is used to satisfy the needs of establishments related to cogeneration, provided that the energy and economic efficiency for all processes are increased and that the highest be that obtained from conventional generation stations. The concessionaire may not be the operator of processes giving place to cogeneration.

b) The applicant is bound to make available to the Federal Electricity Commission the surplus of production in terms of section 36-Bis.

We must not forget that sections 35, last paragraph, of the General Law of Ecological Balance and Environmental Protection, 49, first paragraph, of the Regulations of the General Law of Ecological Balance and Environmental Protection in the area of Environmental Impact Assessment, set forth, respectively, that *"...The Resolution of the Department shall only refer to environmental aspects of works and activities in question"* and *"...The authorizations issued by the Department may only refer to environmental aspects of works and activities in question and their validity may not exceed the time suggested for execution thereof..."*.

Without leaving aside that as per section 35, third paragraph, of the General Law of Ecological Balance and Environmental Protection, the authorization in the area of environmental impact responsibility of the Federation must assess the possible effects of said works or activities in the ecosystem(s) in question, considering the group of elements composing said ecosystem(s) and not only the resources which would be subject to use or impact.

In other words, the Federation is responsible for, in the area of environmental impact, assessing mainly (and not only) the resources which, as the case may be, would be subject to use or impact, such as the resources the Project would use or disturb for generation of electricity, that the Petitioner stated he would sell to individuals using natural resources for that purpose.

Therefore, the **Petitioner** must clarify, rectify or extend the content of the environmental impact statement submitted in special modality to this Regional Office, making the corresponding connection of the **Project** with the last part of section 27, sixth paragraph, of the Political Constitution of the United Mexican States, besides the clarifications, rectifications or extensions required in this agreement; all the more since the **Petitioner** has stated the possible sale of electricity to private individuals, considering that only the Nation may use the natural resources required to generate, conduct, transform, distribute and supply electric energy for provision of the public service.

On the modality [special] of the environmental impact statement submitted to this **Regional Office** by the **Petitioner** referred to in the previous paragraph, we shall elaborate hereunder.

1.3 Modality of the Environmental Impact Statement

The **Petitioner** states in page III-34 of the Environmental Impact Statement submitted to this **Regional Office**, regarding the connection of the **Project** with section 11 of the Regulations of the General Law of Ecological Balance and Environmental Protection in the area of Environmental Impact Assessment, that *"... The Statement submitted does not conform to the legal provisions, therefore we have decided to select the special modality..."*.

To this regard, it is worth mentioning that the **Petitioner** also states, in pages 5, 9, 14, IV-50, IV-52, IV-53, IV-57, IV-58, IV-60, of the Environmental Impact Statement in question [**emphasis added**]:

"...The Area where the Project will be developed is an important route for migratory birds flying from the north of the continent towards tropical areas in the south for winter..." (p. 5)

"...Nevertheless, it is worth mentioning that areas next to the SA presenting a certain degree of affinity and adaptation were the Sierra Madre Oriental and the Sierra de Tamaulipas **representing a series of climate conditions favorable for potential distribution during migrations of D. plexippus..."** (p. 9).

"...One of the main risks during the operation of the wind farm was mortality of birds and bats due to collision with turbines, thus disturbing their dynamic population, as well as their migratory patterns... a Bird and Bat Monitoring **Plan will be developed using the necessary tools **to determine** accurately the **areas of nest building, trajectories, heights, seasons and peak flying hours**. The **results** of said Plan will be **used** as the basis to **design** appropriate **measures** to **decrease** this **risk** to the minimum..."** (p. 14).

"...Considering that the implementation of wind farms has been recognized as high risk for migratory species (Ledec et al. 2011) and on the impact of the transformation of habitats surrounding migratory and flight routes over these groups, we must describe the **migratory behavior for the **spring season at Tres Mesas, Tamaulipas, where we intend to build the wind project Tres Mesas...**"** (p. IV-50).

In order to generate more information regarding the birds distributed in the Project Area we hired the services of... The complete report is presented in Appendix IV.3... **It is worth mentioning that the results are from the monitoring carried out in spring season during the months of March and April. With the information generated, it was possible to determine the richness, abundance and behavior of resident and migratory birds in the SA and the Project Area...W** (p. IV-50).

For **spring monitoring during the pre-construction stage, we applied the following methods in the field: point count, monitoring station, use of ornithological radar besides a bibliographical review with which the list of potential species was prepared..."** (p. IV-50).

Monitoring station... (p. IV-52)

For **spring, the monitoring station worked** daily from 8:30 am to 4 pm, for a **two-week term...** (p. IV-52).

Ornithological radar... (P. IV-53)

We used the horizontal and vertical operation mode of the radar **during seven days** between March 29 and April 7, 2013, **coinciding with spring early migration period in the region...** (p. IV-53).

Monitoring station... (p. IV-57).

For the analysis among species considered of higher **collision risk there are two **migratory species**, one of them Swainson's Hawk (*Buteo swainsoni*), the only one considered a **protected species** as per NOM-059-SEMARNAT-2010...** (p. IV-57).

However, it is worth highlighting that the main **limitations** of visual monitoring is their inefficiency under mist and low visibility conditions such as those registered in the site **during monitoring period**, as well as the **lack of possibility** to register individuals flying at great heights... (p. IV-57).

Chart IV.32 Results obtained at Monitoring Station

Concept	Results
Birds Abundance Out of the species registered flying within the Project Area, the five species more abundant were: the Swainson's Hawk (<i>Buteo swainsoni</i>) with 44.04% (48 individuals); the Turkey vulture (<i>Cathartes aura</i>), with 28.44% (31 individuals), <i>Coragyps atratus</i> with 10.09% (11 individuals); and finally the <i>Buteo brachyurus</i> with 3.6% (for individuals).
Collision risk	The collision risk was calculated for species overflying within the polygon of the mesas, thus considering the data of individuals overflying between 25 and 75 meter high. Individuals with high collision risk were those with $p > 0.5$. The species with higher probability of collision were the Turkey vulture (<i>Cathartes aura</i>) with probability of 0.64; the Swainson's Hawk (<i>Buteo swainsoni</i>) with probability of 0.58 and the short-tailed hawk (<i>Buteo brachyurus</i>) with probability of 0.5, the first two are also the most abundant species...

...” (pp. IV-57, IV-58)

Flight heights

During the seven monitoring days we registered the flight height of 2,530 individuals and 34 small groups, maybe of less than ten individuals. Out of the individuals detected, 4.6% flew at risk height (**< 100 meters above ground level**), while more than 55% flew between **200 and 700 m AGL**...” (p. IV-60).

This is, in accordance with the Petitioner's statement, the area where the Project will be developed is an important route for migratory species and, however, - the Petitioner states – the area surrounding the SA and presenting a certain degree of affinity and adaptation were the Sierra Madre Oriental and Sierra de Tamaulipas representing **a series of climate conditions favorable for potential distribution during migrations of D. plexippus**; upon with it will develop (future) a plan to determine (future) the areas the areas of nest building, trajectories, heights, seasons and “peak” flying hours, so that the results (future) will be used as the basis to design (future) measures to decrease “this risk to the minimum” (future); that for spring season the monitoring station worked for a two-week term; that for the analysis among the species considered with high “collision” risk includes two (2) migratory species one of which is a protected species; and nevertheless, it is important to highlight the limitation of visual monitoring registered at the “site” during monitoring period as well as the lack of possibility to register individuals flying at “great heights”.

(What does the **Petitioner** mean by great heights? 10, 20 50 100, 120, 150, 200 meters?)

Considering what the **Petitioner** stated, he stated that the monitoring days were seven [days] and that it registered: 4.6% of individuals detected flew at risk height (<100 meters above ground level), while more than 55% flew between 200 and 700 m AGL.

What about individuals –using the **Petitioner's** terminology- flying between 100 meters and less than 200 meters?

Even within the area where you intend to carry out or develop the **Project**.

With respect to the latter, the **Petitioner** also states that:

"...wind turbines which will be approximately between 120 and 180 meters high and an approximate extension of the base from 4 to 10 meters... To use the maximum wind potential, wind turbines will be located at the highest area of the plateaus..." (p. 14)

"...The total height of each wind turbine, including tower and blades, will be maximum 117 meters..." (p. 11-2).

Then,

Will wind turbines be (approximately) between 120 and 180 meters high; or total height, including tower and blades, of maximum 117 meters?

This is important since the Petitioner is leaving aside the altitudes between 100 and 200 meters, in accordance with what the Petitioner transcribed herein.

Only after having established and considered the aforementioned, the Petitioner should prove how the Project will conform or not to section 11 of the Regulations of the General Law of Ecological Balance and Environmental Protection in the area of Environmental Impact Assessment, and not only state that it does not fall within the scope of the regulatory section in question and therefore has decided to choose the special modality.

In other words, the **Petitioner** should justify as per the applicable legal provisions why it did not submit an environmental impact statement under regional modality.

The latter considering that, as per the **Petitioner's** statement, there might not only be environmental impacts on the national territory or in areas subject to the sovereignty or jurisdiction of the Nation caused where the **Project** is intended to be carried out or developed, but there might also be environmental impacts in the territory or areas subject to the sovereignty or jurisdiction of any State other than the Mexican State caused where the Project is intended to be carried out or developed in Mexico (specifically in the State of Tamaulipas in Mexico).

The **Petitioner** must prove, because for purposes of the environmental impact assessment procedure, the Project would need an environmental impact statement, special modality and not

regional modality, considering that the Petitioner states, and insists, among other aspects, that the monitoring was performed in spring and using the horizontal and vertical operation model of the radar during seven days, as well as for the analysis within the species considered of higher collision risks which include two migratory species, one of them the Swainson's Hawk (*Buteo swainsoni*), the only one being a protected species as per NOM-059-SEMARNAT-2010.

Due to the aforementioned, the Petitioner must make, to this regard, the corresponding clarifications, rectifications or extensions to the content of the Environmental Impact Statement of the Project.

We shouldn't omit to state that the Department of Environment and Natural Resources, as per section 5, fraction III and IV of the General Law of Ecological Balance and Environmental Protection, has the authority to solve these matters disturbing the ecological balance in the national territory or areas subject to the sovereignty and jurisdiction of the nation, caused within the territory or areas subject to the sovereignty and jurisdiction of other States, or in areas beyond the jurisdiction of any State; and also to solve matters which, caused in the national territory or areas subject to the sovereignty and jurisdiction of the nation, disturb the ecological balance of the territory or the areas subject to the sovereignty and jurisdiction of other States, or areas beyond the jurisdiction of any State.

1.4 The Petitioner must make the corresponding connection of the Project with the Convention executed between the United Mexican States and the United States of America for the Protection of Migratory Birds and Cinegetic Mammals, published in the Federal Official Gazette on May 15, 1937, as well as the Protocol between the Government of the Mexico and the United States to modify the Convention the Protection of Migratory Birds and Cinegetic Mammals.

The aforementioned due to the fact that the Petitioner states in the Environmental Impact Statement that *"...In this way, in order to guarantee the protection of birds the Project included into its work team experts from the Ecology Institute, the Instituto Tecnológico Autónomo de Tamaulipas and the Instituto Tecnológico de Estudios Superiores de Monterrey in order to prepare a diagnose of the abundance and type of species present with the purpose of implementing preventive measures for their protection..."*, but the Petitioner does not show how the Project conforms to and would comply with the Convention executed between the United Mexican States and the United States of America for the Protection of Migratory Birds and Cinegetic Mammals and its Protocol.

2. Other Aspects

The environmental impact assessment, as per section 28 of the General Law of Ecological Balance and Environmental Protection, is the procedure through which, in the federal environment, the Department of Environment and Natural Resources sets forth the conditions governing the performance of works and activities which may cause ecological unbalance or exceed the limits and conditions established in the applicable provisions to protect the environment and preserve

and restore ecosystems, so as to avoid or reduce to minimum its negative effect on the environment.

2.1. Considering the aforementioned, the Petitioner should also clarify, rectify or extend the content of the environmental impact statement submitted to the Regional Office, as required in this document:

The Petitioner states in the environmental impact statement with regards to wind turbines that:

- ❖ There are types of foundation in the installation of wind turbines:
 - 1. Continuous foundation plate ("mat"). Mat foundations are wide and not deep.
 - 2. Pier style. Pies foundations are narrow and deep.
 - 3. Pile support anchors.
 - 4. Rock anchors.

Also, in page VI-5 of the Environmental Impact Statement, it states:

"...Before using explosives displacement techniques will be applied..." (p. VI-5)

Likewise, **Petitioner** states that considering the land conditions, it is "assumed" that the type of foundation to be used would probably be the pier style; however, *-the **Petitioner** states-*, this will depend on the results of *"...geotechnical studies..."*, of the wind farm final design, on the specifications determined by the wind turbine manufacturer, and the simplicity of construction.

Hence, Petitioner must specify if for the installation of wind turbines it will use explosives or not, and the corresponding impact for purposes of assessment in the area of environmental impact in question.

2.2 In page 1 of the Environmental Impact Statement, **Petitioner** specifies that:

"...When submitting the Environmental Impact Statement, Special Modality for the Project, no activity has been started at the site, except for the opening of some access roads for the installation of meteorological towers, for which we have the corresponding authorization from environmental impact..." (p. 1)

Likewise, the Environmental Impact Statement submitted by the Petitioner, in page II-1 thereof states [**emphasis added**]:

"...To determine the exact number of wind turbines, their characteristics and capacities, as well the exact location, we need to have exact data on climate and wind conditions in the area for a certain time. Therefore, there are currently meteorological towers in the area equipped with measuring instruments such as anemometers, barometers, thermometers, and weather vanes measuring the characteristics of each of these variables and storing information. Data generated in meteorological towers are gathered, filtered and analyzed to obtain a record of data representative of the climate

and wind conditions in the area, so as to finish the detailed design of the wind farm, select turbines to be used and distance between them, as well as foresee energy production..." (p. II-1).

Together with the aforementioned, in page II-6 of the Environmental Impact Statement, the **Petitioner** states that [*emphasis added*]:

"...After analyzing wind speed data in the area we may observe that wind turbines are intended to be installed in the areas where wind speed mostly exceeds 8 m/s, registering averages of 7.57 m/s.

There are already 4 meteorological towers in the area and we are in process of installing 9 meteorological towers..." (p. II-6)

To this regard, **Petitioner** should clarify, rectify or extend on:

- Dates or periods of time of data and information on wind speed in the area under study, as well as the **Project** area.
- Name(s) and last name(s) of individuals or business names of corporations who provided, provide or will provide, supplied, supply or will supply, facilitated, facilitate or will facilitate, delivered, deliver or will deliver to the **Petitioner** in the past, present or future, information regarding the measuring the **Petitioner** refers to in the Environmental Impact Statement.
- If one or more of the 4 existing meteorological towers were built and/or commissioned by the **Petitioner**.
- If one or more of the 4 existing meteorological towers are being operated by the **Petitioner**.
- If any, the name(s) and last name(s) of individuals and/or business name(s) of corporations which built and commissioned, or are operating, one or more of the 4 meteorological towers already mentioned.
- Estimated date when the **Petitioner** detected the existence of one or more of the 4 meteorological towers mentioned.
- Geographic coordinates of the location of each of the 4 existing meteorological towers as per the statements of the **Petitioner**.

In addition, **Petitioner** shall submit upon this **Regional Office**, information regarding climate and wind conditions in the area where the **Project** is to be performed or developed, even information with regards thereto (climate and wind conditions) used and/or considered for the preparation of the Environmental Impact Statement submitted to this **Regional Office**.

The aforementioned, considering that the **Petitioner**, with the corresponding data and information, foresaw, has foreseen, foresees or will foresee "energy production" using natural resources.

2.3. Considering that the **Petitioner** states that from the species registered flying within the **Project** area, the species that registered the largest number of observations during spring was *Buteo*

swainsoni, and it is expected to register more during autumn, increasing the collision risk. In turn, there are more than one thousand records of individuals of *Ictinia mississippiensis* during autumn migration to the zone.

Likewise, and as stated, the Petitioner leaves aside the altitudes between 100 meters and up to 200 meter when talking about records for individuals flying over the area.

Petitioner should specify the (approximate) height of wind turbines, including tower and blades, in addition to indicating the records regarding type of species and frequency of individuals detected flying between 100 meters and 200 meters high, stating the monitoring period (days) and the corresponding season.

Likewise, the Petitioner must submit to this Regional Office all the information and data generated and, in general, owned, regarding samplings and not only for one single period, in order to analyze and assess the collision risks of fauna with wind turbines and related infrastructure.

The latter because during spring migration migratory birds are much more scattered and use different routes than in winter migration. Hence, it is very important to have said information and data on winter migration to be able to assess the actual environmental risk related to the project; all the more since the environmental impact statement contains statements such as *"...it is necessary to acknowledge that the site where the radar station was located was not the ideal location..."* (p. 42 of Appendix IV.3), besides that *"...the General Impact and Risk Office of the Department of Environment and Natural Resources (DGIRA-SEMARNAT), regularly establishes the obligation of performing a bird and bat monitoring study, both for resident and migratory birds and bats, for a year prior to the construction of the wind farm project..."* (p. 1 of Appendix IV.3)

2.4. The Petitioner states in pages V-37, V-40, VI-3, VI-5, that:

"...A Land Restoration and Conservation Program will be implemented to avoid erosion issues to the fullest extent possible. This program considers temporary storage of the fertile layer of soil, and after concluding the activities of preparation and construction, it will be reincorporated into the site in order to allow the regeneration of land with the forest vegetation..." (p. V-37).

"...after the construction of the wind farm, a Land Restoration and Conservation Program will be implemented which contemplates land restoration activities for roads used provisionally during previous stages and areas temporarily disturbed which may be rehabilitated. The purpose of these activities is to regenerate the land and grow natural vegetation, taking special care in avoiding species which roots may damage the underground electric conduction and data wiring lines (optic fiber)..." (p. V-40).

"...180 days before starting the abandonment stage... an Abandonment Program will be developed including the Plan for dismantling facilities, as well as rehabilitation activities for disturbed areas..." (p. VI-3).

"... The remnants of vegetation removed will be "crushed" and stored at a specific site for later reincorporation into the land and/or use in reforestation areas or local plant nurseries..." (p. VI-5)

As a result of the aforementioned, the Petitioner shall specify the storage conditions which would guarantee to the extent possible the conservation of the layer fertility, indicate how and with which species they intend to implement the land restoration and conservation program; Petitioner must state, at least, the general standards or guidelines to be followed in rehabilitation actions; state the location and dimensions of the sites used to distribute relocated species, how the transplant will take place, dimensions of the plants susceptible to be rescued and transplanted.

In addition, Petitioner should make the corresponding clarifications and/or ratifications with regards to the statements from page V-40 of the Environmental Impact Statement, regarding the loss of individuals from the vegetable species mentioned in Mexican Official Standard **NOM-059-SEMARNAT-2010, Environmental Protection-Native Species of Mexican wild flora and fauna-Risk categories and specifications for inclusion, exclusion or change-List of threatened species**, derived from clearing and grubbing activities.

Likewise, Petitioner should specify the actions to be implemented to guarantee the survival and establishment of rescued and relocated species and include indicators to determine the level of performance (Subprogram for Rescue and Relocation of Flora), as well as to detail the origin of seedling, species and growth and maintenance conditions that will guarantee their survival (Land Restoration and Conservation Program).

3. Current Scenario and without the Project

Regarding forecast, the Petitioner should analyze the current scenario without the Project, and the expected scenario with the Project without prevention and mitigation measures, and with the Project with the application of such measures, and not only indicate, for example, that with the implementation of the measures it is estimated that there will be no modifications, etc.

For this purpose, besides, if as a result of the requirements in this document, if any, the Project was modified as per section 27 of the Regulations of the General Law of Ecological Balance and Environmental Protection in the area of Environmental Impact Assessment (REIA), the Petitioner must inform the Department of the Environment and Natural Resources about modifications for the Project, for it to be admissible as per the applicable legal provisions.

Clarifications, rectifications or extensions to the content of the Environmental Impact Statement requested from the Petitioner will be made considering mainly that Mexico:

- Is a unit as per the international law;⁴
- That comprises all of its structures and its agents;⁵

⁴ "...Nowadays, the conviction that the respective position of the different powers of the State is only relevant to constitutional law and irrelevant to international law, as per which the State appears as a unit, has been determined in international jurisprudence, in the practice of States and the doctrine of international law..." *The internationally illegal act of the State as the source of international liability*, Roberto Ago, Special Rapporteur; *Yearbook of the International Law Commission*, 1971)

- There could even be international liability of Mexico for allowing supposed violations from private individuals;⁶

In other words, it should be explicitly stated that, in a Democratic Society this Regional Office is bound, within its field of competence, to respect, protect and guarantee human rights in accordance with the principles of universality, interdependence, indivisibility and progressiveness; and as a consequence Mexico, to which this Regional Office belongs and, as has already been said, upon international law Mexico is a unit, should prevent, investigate, sanction and repair the violations to human rights, all the more since *"...an illegal act violating human rights which initially is not directly attributable to a State, for example, for being performed by an individual or not having identified the author of the crime, may entail international liability to the State, not for the fact itself but for the lack of due diligence to prevent the violation or process it in the terms required..."*.⁷

This is, the right to a sound environment, constituting the core budget –*the space context of subsistence*– for the development and benefit of other human rights (life, health, personal integrity, among others),⁸ is divided into two aspects: i) in a matter of demand and a duty of respect erga omnes of preserving sustainability of the environment which implies not disturbing or damaging it (horizontal efficiency of human rights); and ii) the correlative obligation of surveillance, conservation and guarantee authorities to deal with relevant provisions (vertical efficiency of human rights).⁹ Based on the latter, we must comply with the applicable legal provisions, not only to fulfill the law but also for a commitment or duty with the family, community and humanity itself, within the context of fair demands of the public good in a Democratic Society.

The Petitioner shall present, submit and state upon this Regional Office the information (including data and documents) required in this agreement, in writing in original document and 3 copies of said document in digital format in the official language, one of which will be available to the public so as to be consulted by any person as per section 34 of the General Law of Ecological Balance and Environmental Protection (LGEEPA). Besides, those who decide so may exercise the right for petition established in section 8 of the Political Constitution of the United Mexican States and other related rights in the Mexican law as well as in relevant international standards.

⁵ *"...This obligation implies the duty of Member States to organize the entire governmental section and, in general, all structures through which the duty of public administration is stated, in such a way to legally ensure the free and full exercise of human rights..."*. IACHR. **Velásquez Rodríguez vs Honduras. Sentence from July 29, 2018. Series C No. 4.**

⁶ *"...an illegal act violating human rights which initially is not directly attributable to a State, for example, for being performed by an individuals or not having identified the author of the crime, may entail international liability to the State, not for the fact itself but for the lack of due diligence to prevent the violation or process it in the terms required by the Convention..."*. IACHR. **Velásquez Rodríguez vs Honduras. Sentence from July 29, 2018. Series C No. 4.**

⁷ **Inter-American Court for Human Rights. Velásquez Rodríguez vs Honduras. Sentence from July 29, 2018. Series C No. 4. par. 172; and cfr. Godínez Cruz case. Sentence from January 20, 1989. Series C No. 5, par. 81, 182 and 187.**

⁸ In this matter, review: Writ of Amparo under Review 1922/2009. June 30, 2010. Second Room of the Supreme Court of Justice of the Nation. Unanimity of Votes. Speaker: Minister Margarita Beatriz Luna Ramos, Secretary: Fernando Silva García.

⁹ See thesis I.49.A.569, published in the Judicial Seminar of the Federation and its Gazette, Ninth Term, IUS 173049, Book XXV, March 2007, page 1665, with title "RIGHT TO AN APPROPRIATE ENVIRONMENT FOR DEVELOPMENT AND WELFARE. ASPECTS TO BE DEVELOPED."

The document and copies thereof referred to in the previous paragraph shall clearly indicate the legend stating that the information, data and documents are submitted, delivered and stated to this Regional Office, derived from the clarifications, rectifications or extensions due to insufficiencies preventing the assessment of the Project and required in this agreement, [is submitted] under oath by the Petitioner, specifying that the latter has read it and is aware and understands and has been advised in terms of law by one or several attorneys legally certified as per the Mexican law, regarding the scope of sections 247 fraction I, as well as 420 quarter, both from the Federal Criminal Code, and 10 of the Federal Civil Code.

After delivering the information, including the corresponding data and documents, required to meet even the terms specified in the previous two paragraph, it will be possible to issue the relevant resolution, under the principles of economy, rapidity, efficiency, lawfulness, publicity and specially good faith, as referred to in section 13 of the Federal Law of Administrative Procedure, taking as true and correct the information including data and documents presented, submitted and stated by the Petitioner, and should there be any false statement, it shall comply with the provisioned in the General Law of Ecological Balance and Environmental Protection (LGEEPA), Regulations of the General Law of Ecological Balance and Environmental Protection in the area of Environmental Impact Assessment (REIA), Federal Law of Environmental Liability, Federal Criminal Code, Federal Code for Criminal Procedures, General Law on Sustainable Forest Development, Regulations of the General Law on Sustainable Forest Development, General Law of Human Settlements, as well as in any other applicable legal provisions, including the provisioned in international treaties to which Mexico is a party.

In accordance with sections 8 of the Political Constitution of the United Mexican States, 35 BIS of the General Law of Ecological Balance and Environmental Protection (LGEEPA) and 22 of the Regulations of the General Law of Ecological Balance and Environmental Protection in the area of Environmental Impact Assessment (REIA), since the environmental impact statement presents nonconformities preventing the assessment of the Project, the term remaining to conclude the procedure is suspended until the Petitioner submits and complies with the requirements. The suspension may not exceed sixty days counting as of the date hereof and the Petitioner is informed that upon elapse of said term without delivering the information, this may be declared expired in terms of section 60 of the Federal Law of Administrative Procedure.

The Petitioner is informed that so long as it does not obtain the corresponding resolution in the area of Environmental Impact of the Project, responsibility of the Department of Environment and Natural Resources, it may not begin, develop, execute or carry out any type of works or activities, in the knowledge that otherwise it will be subject to the General Law of Ecological Balance and Environmental Protection (LGEEPA), the Federal Law of Environmental Liability, the Federal Criminal Code, as well as other applicable legal provisions.

Finally, the Petitioner is informed that no person requested, within the environmental impact assessment procedure in question, public consultation of the Project in terms of section 34 of the General Law of Ecological Balance and Environmental Protection.

[SEMARNAT]

FEDERAL REGIONAL OFFICE OF TAMAULIPAS
OFFICIAL COMMUNICATION NUM. SGPA/03-1816/13
CIUDAD VICTORIA, TAM. AUGUST 14, 2013
LOG NUMBER: 28/MP-0511/06/13

"2013, Year of Constitutional Loyalty and Centenary of the Mexican Army"

Notify this resolution to the Petitioner and/or whoever has been expressly appointed for said purpose, by any of the means set forth in section 35 of the Federal Law for Administrative Procedure and in accordance therewith.

Ruled and signed by Jesús González Macías, Federal Deputy of the Department of Environment and Natural Resources for the State of Tamaulipas.

THE FEDERAL DEPUTY

[Illegible seal]

[Illegible signature]

JESÚS GONZÁLEZ MACÍAS

CC.- Head of Regional Offices Coordination Unit.- Martha Gaciarivas Palmeros, Mexico, F.D.
Federal Deputy of the PROFEPA in Tamaulipas.- Miguel de la Rosa Medrano, City.
Sub-deputy of Management for Environmental Protection and Natural Resources.- Horacio del Ángel Castillo.- Premises.
Head of Legal Unit for SEMARNAT in Tamaulipas.- Anselmo Bañuelos Alejos.- Premises.
Regional Office File.

JGM/JRC/ABA/pel.- 2488, 2733, 3032.

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